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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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12 ) No. CR  
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14 Plaintiff[s], )  
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16 vs. )  
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19 )  
20 Defendant[s]. )  
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ORDER RE:  
CRIMINAL TRIAL PREPARATION

18 The above-mentioned cause of action is set for trial before Judge  
19 George H. King.

20 1. Arrive at chambers not later than 8:30 a.m. on the first day of  
21 trial.

22 2. Counsel for the Government shall present Courtroom Deputy Clerk  
23 (CRD) with the following documents:

24 (a) THREE copies of the Government's witness list.

25 (b) THREE copies of the Government's exhibit list in the form  
26 specified in Local Rule 9.9 (Civil).

27 (c) ALL of the Government's exhibits, with official exhibit tags  
28 attached, bearing the same number shown on the exhibit list, must be

1 delivered to the CRD not later than 8:30 a.m. on the first day of trial.  
2 (Defense counsel need not deliver their exhibits to the Clerk on the  
3 first day of trial; however, counsel are responsible for affixing  
4 exhibit tags to exhibits they intend to use in their case.) Exhibits  
5 shall be numbered 1, 2, 3, 4, etc., NOT 1.1, 1.50, etc. If a blowup is  
6 an enlargement of an existing exhibit, it shall be designated with the  
7 number of the original exhibit followed by an appropriate alphabetical  
8 design. Government counsel should be aware that the court will order  
9 exhibits such as firearms, narcotics, etc., remain in the custody of the  
10 agents during the pendency of the trial. It shall be the agents'  
11 responsibility to produce said items for court, secure them at night and  
12 guard them at all times while in the courtroom. Exhibit tags may be  
13 obtained from the receptionist in the main Clerk's Office, Room G-8.

14 (d) If counsel need additional equipment, such as a shadow box,  
15 overhead projector, etc., call the CRD as soon as possible, but no later  
16 than 4:30 p.m. two court days BEFORE trial, so that necessary  
17 arrangements may be made.

18 3. The court finds it helpful to follow the testimony closely.  
19 Accordingly, counsel must have the following available:

20 (a) A bench book containing a copy of all exhibits which can,  
21 as a practical matter, be reproduced. Each exhibit shall be tabbed with  
22 the exhibit number for easy referral.

23 4. Usual "trial days" are Tuesdays through Fridays, 9:00 a.m. to  
24 5:00 p.m. Lunch recess is normally 12:00 noon to 1:30 p.m.

25 5. Before trial commences, the court will give counsel an  
26 opportunity to discuss, in advance, housekeeping matters and anticipated  
27 problems of procedure or law.  
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1           6.     TRANSCRIPTS:     Counsel for the government shall obtain  
2 authorization from their agencies. A copy of said authorization shall  
3 be given to the court reporter when requesting transcripts.

4           7.     JURY INSTRUCTIONS

5                 Jury instructions are to be submitted not later than the  
6 Wednesday of the week prior to trial.

7                 (a) Form of Jury Instructions

8                 The parties must submit joint jury instructions and a joint  
9 proposed verdict form (if a special verdict). In order to produce these  
10 joint instructions, counsel shall meet and confer sufficiently in  
11 advance of the required submission date. The instructions shall be  
12 submitted in the order in which the parties wish to have the  
13 instructions read. This order should reflect a single organized  
14 sequence agreed to by all of the parties.

15                The joint jury instructions shall be submitted in three  
16 sets as follows: (1) those instructions which are agreed to by all  
17 parties; (2) those instructions which are propounded by the Government  
18 to which the defendant[s] object; and (3) those instructions which are  
19 propounded by the defendant[s] to which the Government objects.

20                Instructions upon which agreement cannot be reached should  
21 reflect the basic disagreements among the parties.

22                Attribution and case citation for each instruction should  
23 be placed on pages following a proposed instruction. For disputed  
24 instructions, a party shall note the objections to a proposed  
25 instruction and the reasons therefor.

26                INSTRUCTIONS SHALL BE BRIEF, CLEAR, CONCISE, WRITTEN IN  
27 PLAIN ENGLISH, FREE OF ARGUMENT, AND SHALL BE ORGANIZED IN LOGICAL  
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1 FASHION AS TO AID JURY COMPREHENSION. Standard or form instructions, if  
2 used, must be revised to address the particular facts and issues of this  
3 case.

4 The following list contains some suggested sources for jury  
5 instructions:

6 (1) Ninth Circuit Pattern Jury Instructions;

7 (2) Federal Jury Practice and Instructions  
(Devitt and Blackmar (3rd Edition))

8 (3) Modern Federal Jury Instructions  
9 (Mathew Bender 1985)

10 (4) California Forms of Jury Instructions  
11 (Mathew Bender 1985)

12 8. INSTRUCTIONS TO COUNSEL GOVERNING TRIALS IN THIS COURT

13 (a) During trial counsel shall not refer to their clients by  
14 their first names.

15 (b) Opening statements, examination of witnesses, and closing  
16 arguments shall be made from the lectern only.

17 (c) Avoid discussing the law or arguing the case in opening  
18 statements.

19 (d) Do not use objections for the purpose of making a speech,  
20 recapitulating testimony, or attempting to guide the witness. When  
21 objecting, state only that you are objecting and the specific legal  
22 ground of the objection, e.g., hearsay, irrelevant, etc. If you wish to  
23 argue an objection further, ask permission to do so at side bar. The  
24 court may or may not grant such requests.

25 (e) Speak up when making an objection. The acoustics in most  
26 courtrooms make it difficult for all to hear an objection when it is  
27 being made. Counsel must speak audibly and clearly when questioning  
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1 witnesses or arguing to the court or jury. Counsel should instruct  
2 their witnesses to speak audibly and clearly.

3 (f) Do not approach the clerk or the witness box without  
4 specific permission. Please return to the lectern when the purpose of  
5 the approach is finished.

6 (g) Please rise when addressing the court.

7 (h) Address all remarks to the court. Do not address the  
8 clerk, the reporter, or opposing counsel. If counsel desire to confer  
9 off the record, ask permission to do so. All requests for the re-  
10 reading of questions or answers, or to have an exhibit placed in front  
11 of a witness, shall be addressed to the court.

12 (i) Do not make an offer of stipulation unless you have  
13 conferred with opposing counsel and have reason to believe the  
14 stipulation will be accepted. Any stipulation of fact will require the  
15 defendant's personal concurrence. A proposed stipulation should be  
16 explained to him or her in advance.

17 (j) While court is in session, do not leave counsel table to  
18 confer with investigators, secretaries, or witnesses in the back of the  
19 courtroom unless permission is granted in advance.

20 (k) Counsel shall not, by facial expression, nodding, or other  
21 conduct, exhibit any opinions, adverse or favorable, concerning any  
22 testimony which is being given by a witness. Counsel shall admonish  
23 their own clients and witnesses similarly to avoid such conduct.

24 (l) When a party has more than one lawyer, only one may  
25 conduct the direct or cross-examination of a given witness.

26 (m) If a witness was on the stand at a recess or adjournment,  
27 have the witness back on the stand, ready to proceed when court resumes.

1 (n) Do not run out of witnesses. If you are out of witnesses  
2 and there is more than a brief delay, the court may deem that you have  
3 rested.

4 (o) The court attempts to cooperate with doctors and other  
5 professional witnesses and will, except in extraordinary circumstances,  
6 accommodate them by permitting them to be called out of sequence.  
7 Anticipate any such possibility and discuss it with opposing counsel.  
8 If there is objection, confer with the court in advance.

9 (p) Counsel are advised to be on time as the court starts  
10 promptly. Morning and afternoon breaks are approximately fifteen  
11 minutes in length.

12 (q) Do not attempt to use or display any enlargements of  
13 exhibits or charts unless all counsel agree to such use, or the court  
14 has ruled on any objections in advance.

15 (r) Never enter the well of the court. Counsel shall ensure  
16 that his/her client(s) and witness(es) are admonished to never enter the  
17 well of the court.

18 (s) Counsel shall not bring any water cups to the lecturn,  
19 and, while the court is in session, shall not speak while holding any  
20 water cup in his/her hand.

21 DATED: This \_\_\_\_ day of \_\_\_\_\_, 199\_\_.

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24 GEORGE H. KING  
25 United States District Judge  
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